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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 HOLLY A. NEILL, an individual; CORI
11 MULSOFF, an individual; BRENDA JONES,
12 an individual,

13 Plaintiffs,

14 v.

15 ALL PRIDE FITNESS OF WASHOUGAL,
16 LLC, a Washington Limited Liability
17 Corporation; CHINDIANAOPPLIS, a
18 Washington Limited Liability Corporation;
19 NILE PLOUFFE, an individual,

20 Defendants.

Case No. C08-5424RJB

PROCEDURAL ORDER

21 This matter comes before the Court on *sua sponte*.

22 The Court received information that the Defendant Nile Plouffe has filed for bankruptcy
23 protection (See U.S. Bankruptcy Court for the Western District of Washington, #09-45189.)
24 Clarification of the status of this District Court case is appropriate. The Court therefore makes the
25 following **ORDER**; which shall govern procedure in the absence of further order:

26 1) This case is stayed pursuant to 11 U.S.C. § 362 as to Nile Plouffe only.

2) The case will proceed as to the remaining defendants under the schedule previously set
with trial to commence on 5 October 2009.

3) The Defendant Plouffe remains a witness, and is not excused from discovery and testifying as a Fed. R. Civ. P. 30(b)(6) designee of other defendants, and as an ordinary witness in the case.


4) If the events of the bankruptcy filing disrupted the discovery plan, the discovery period should be extended to allow for completion of only such discovery as was disrupted.

5) The Court will continue to rule on pending motions as they become ripe for decision, and will continue its trial planning.

It is so ordered.

The Clerk of the Court is instructed to send uncertified copies of this Order to all counsel of record and to any party appearing *pro se* at said party's last known address.

DATED this 4th day of August, 2009.


Robert J Bryan
United States District Judge